

WASTE TIRE FACILITY PERMIT

Facility/Permit Number:

39-TI-1538

TPID #1608939

1. Name & Street Address of Facility:

Waste Recovery West, Inc.
4554 S. El Dorado Street
Stockton, CA 95206

2. Name & Mailing Address of Operator:

Mark W. Hope
Waste Recovery West, Inc.
P.O. Box 83328
Portland, OR 97283

3. Name & Mailing Address of Property Owner:

Mark W. Hope
Waste Recovery West, Inc.
P.O. Box 83328
Portland, OR 97283

4. Specifications:**a. Permit Type:**☒ Major Waste Tire Facility**b. Permit Action:**☒ New Permit☐ Five (5) Year Permit Renewal☐ Permit Revision**c. Operational Status:**☐ Existing☒ Proposed**d. Maximum Permitted Capacity:** 40,000 Whole Waste Tires/Passenger Tire Equivalents**e. Permitted Storage Area (acres):** 7.49 acres

Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued waste tire facility permit and/or exclusion(s).

5. Approval:

Approving Officer Signature

Ted Rauh, Program Director
Waste Compliance and Mitigation Program
Department of Resources Recycling and Recovery (CalRecycle)

6. Enforcement Agency Name and Address:

Department of Resources Recycling and Recovery (CalRecycle)
1001 I Street
P.O. Box 4025
Sacramento, CA 95812

Frequency of Inspection by Enforcement Agency:

1 year (12 months)

7. Date Application Received:

February 11, 2010

8. Date Application Accepted:

April 15, 2010

9. Permit Issued Date:

August 17, 2010

10. Permit Application Renewal Due Date:

August 17, 2014

11. Permit Expiration Date:

August 17, 2015

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12. Legal Description of Facility:

Assessor's Parcel Number (APN): 193-020-23

13. Findings:

- a. This permit is consistent with the standards adopted by the California Department of Resources Recycling and Recovery (CalRecycle) as required by Title 14, California Code of Regulations (CCR), Division 7, Chapter 6.
- b. The design and operation of the facility is consistent with the Waste Tire Storage and Disposal Standards applicable to a major waste tire facility, pursuant to PRC §42820 et. seq. and implementing regulations found in 14 CCR, Division 7, Chapter 3.
- c. A Negative Declaration (Neg Dec), posted on Sept 30, 2009, was circulated locally by the San Joaquin County Community Development Department to operate a facility to process whole scrap tires into tire derived aggregate and operate an indoor collection yard. The San Joaquin County Planning Commission approved the proposed project on Dec 17, 2009 and filed a Notice of Determination with the County Clerk on Dec 22, 2009. A Neg Dec, SCH No. 2010032103, was circulated for a 30-day review period from Mar 30, 2010 through May 3, 2010. The Neg Dec was adopted by the San Joaquin County Planning Commission on Jun 3, 2010. The Neg Dec analyzed for the revision of two conditions for a previously approved Use Permit.

14. The following documents describe and/or restrict the operation of this facility:

	Date		Date
<input checked="" type="checkbox"/> Permit Application (DRRR 500)	2/3/2010	<input checked="" type="checkbox"/> Vector Control Approval	9/18/2009
<input checked="" type="checkbox"/> Operation Plan (DRRR 501)	2/3/2010	<input checked="" type="checkbox"/> Local Fire Authority Requirements	2/19/2010
<input checked="" type="checkbox"/> Environmental Information (DRRR 502)	2/3/2010	<input type="checkbox"/> Local & County Ordinances	
<input checked="" type="checkbox"/> Emergency Response Plan (DRRR 503)	2/3/2010	<input checked="" type="checkbox"/> Negative Declaration	6/3/2010
<input checked="" type="checkbox"/> Closure Plan (DRRR 504)	2/3/2010	<input type="checkbox"/> Air Pollution Permits and Variances	
<input checked="" type="checkbox"/> Reduction/Elimination Plan	2/3/2010	<input checked="" type="checkbox"/> Lease Agreements - owner & operator	7/21/2009
<input checked="" type="checkbox"/> Closure Financial Responsibility Document	2/3/2010	<input type="checkbox"/> Contract Agreements	
<input checked="" type="checkbox"/> Operating Liability Document	11/10/2009	<input type="checkbox"/> Other (list):	
<input checked="" type="checkbox"/> Conditional Use Permit	12/27/2009		

14. Conditions:

- a. The design and operation of this facility shall comply with the applicable Waste Tire Storage and Disposal Standards contained in 14 CCR, Division 7, Chapter 3. The permittee shall also comply with the permitting requirements in 14 CCR, Division 7, Chapter 6.
- b. The facility shall comply with all mitigation measures specified in any certified environmental documents that are within the authority of the EA and are contained in a mitigation monitoring and reporting program, pursuant to PRC, Section 21081.6.
- c. In the event of an emergency that may have potential significant off-site effects or in the event of a fire, the permittee shall notify CalRecycle within 24 hours.
- d. Upon presentation of proper credentials, the Enforcement Agency, CalRecycle staff, or other authorized agent of CalRecycle, shall be allowed to enter the permitted facility during normal operating hours to examine and copy books, papers, records, or memorandum, to take photographs of the tire storage area, and to conduct inspections and investigations pertaining to the facility. CalRecycle staff, designated contractors and representatives shall also have access to the facility to investigate, remediate, or stabilize the facility, if such activities are deemed necessary to protect the public health, safety and the environment.

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14. Conditions: (continued)

- e. The permittee shall maintain a copy of the Fire Authority approval at the facility. The permittee shall maintain copies of all waste & used tire manifests documenting tire movement in and out of the facility for a minimum of 3 years. The permittee shall maintain a copy the Operation Plan and the Emergency Response Plan at the facility. At the time of permit issuance, the permittee shall forward a copy of the Emergency Response Plan to the local fire authority. The Emergency Response Plan shall be revised as necessary to reflect any changes in the operations of the waste tire facility or requirements of the local fire authority. Such revisions to the operation plan or emergency response plan will not be effective until CalRecycle concurs with the revisions. All emergency phone numbers shall be updated immediately.
- f. A copy of this permit shall be posted in a visible location at the facility.
- g. Local fire authority permits or other approvals referenced in this permit shall be maintained in force during the term of this permit. In the event the permittee intends to modify any permit or approval from another government program, including but not limited to Air Resources Board, State Water Control Board, or CalRecycle programs, during the term of this permit, the permittee shall notify CalRecycle in writing within at least 30 days prior to the change and include copies of any renewed or modified permits or approvals from these agencies. In the event any permit or approval from another government program is suspended or revoked, or expires during the term of this permit, the permittee shall notify CalRecycle in writing within 5 working days of the suspension, revocation or expiration, and include copies of the pertinent documents with the notification.
- h. This permit does not release the permittee from their responsibility under any other existing laws, ordinances, regulations, or statutes of other government agencies.
- i. The terms and conditions of this permit may change as a result of a revision of CalRecycle's statutes or regulations.
- j. The permittee must report to CalRecycle the receipt of 10 or more waste or used tires from unregistered haulers in a manner that is consistent with Title 14 CCR §18461.
- k. All site conditions, equipment, and precautions outlined in the Waste Tire Facility Operation Plan shall remain in force. In no case shall the permittee implement any change of permit conditions herein without first seeking approval from CalRecycle by submitting a written notice of the proposed change to the Enforcement Agency at least 90 days in advance of the change.
- l. CalRecycle staff reserves the right to suspend or modify waste tire receiving and/or storage operations when deemed necessary due to an emergency, a potential health hazard or the creation of a public nuisance, to protect the public health and safety, protect and rehabilitate or enhance the environment, or to mitigate adverse environmental impacts.
- m. Violation of any term or condition of this permit or the Waste Tire Storage and Disposal Standards may result in enforcement action(s) which include but are not limited to the following: issuance of orders (clean up and abatement or cease and desist); penalties (civil, administrative, criminal); and permit revocation or suspension.
- n. The permittee shall manifest all Tire Derived Product (TDP) loads, other than crumb rubber, or obtain written approval from CalRecycle prior to allowing the transport of TDP, as defined by PRC sections §42805.7 and §42950(i), pursuant to Title 14 CCR §18451. Requests for such approval shall include proof of sale. Failure to obtain approval of the transport of the product may result in enforcement action.
- o. Altered tire materials greater than ¼" in size stored on-site are considered waste tires and will count toward the Maximum Permitted Capacity declared on page one of this permit.
- p. Waste tires and tire derived aggregate (TDA) greater than ¼ inches in diameter shall be stored as shown in the site plan in pages 5 and 6 of this permit. TDA are tires that have been reduced in size by shredding, and the resulting aggregate may vary in size depending on the intended use. The area near maintenance structure F will only be used to store used salable tires, barrel stacked, which will not count toward the permitted total. Up to 2,000 waste tires may be stored in the staging area adjacent to the manufacturing building 'B'. Up to 2,000 waste tires may be stored in the covered area 'C', which is the de-rimmed area. TDA may only be stored in the areas designated areas Piles 1-4 on the site plan. At no time may the total of the TDA in the piles 1-4, plus any other waste tires on site exceed 40,000 passenger tire equivalents.

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- q. All activities authorized by this permit must take place within the areas identified on the site plan as Area A and Area C, on pages 5 and 6 of this permit. Area A is approximately 4.738 acres and Area C of approximately 2.721 acres for a total of 7.459 acres. No activities other than the transportation of TDA across Area B (2.523 acre) which separates Area A and Area C is allowed. No TDA or any other material associated waste tire activities may be conducted or stored in Area B.
- r. The beneficial reuse of waste tires in on-site construction projects must be pre-approved as required by Title 14 CCR §17346(f).
- s. The permittee shall only give, contract, or arrange with California registered used and waste tire haulers to transport waste tires or tire pieces (greater than ¼ inches in diameter) away from the facility, unless the hauler is exempt as specified in PRC §42954, or CalRecycle has granted written approval to the permittee or the hauler.
- t. This permit has been issued to the operator for the waste tire facility located at 4554 S. El Dorado Street, Stockton, CA 95206 and is not transferable to any other location (PRC §42808).
- u. The permittee shall maintain a record of the total number of waste tires on-site measured once each month, and provide a quarterly report to CalRecycle containing that information in either electronic or written format.
- v. The permittee shall submit an updated Closure Plan (Part B), CalRecycle form 504, as specified in 14 CCR, Division 7, Chapter 6, §18442, at least 120 days prior to the anticipated closure of the facility.
- w. The permittee shall maintain adequate financial assurance in accordance with the closure requirements of 14 CCR, Division 7, Chapter 6, Article 9 and operating liability in accordance with the requirements of 14 CCR, Division 7, Chapter 6, Article 10.
- x. The permittee must maintain and ensure that all emergency equipment is in working order, including the following, by inspecting this equipment monthly: on-site fire hoses and racks, forklifts, and fire extinguishers.
- y. The permittee must have an occupancy permit before occupying the waste tire facility located at 4554 S. El Dorado Street, Stockton, CA 95206.
- z. The permittee Fire Control Plan for the facility submitted to CalRecycle and the French Camp-McKinley Fire District shall be kept up to date and includes the following: a. Scheduled annual training by Waste Recovery West, Inc. for the French Camp-McKinley Fire District, b. Emergency contacts, c. Demonstrate there is an adequate water supply pursuant to 14 California Code of Regulations (CCR) Section 17351(c) and local fire department approval. The permittee must be able to demonstrate upon request that the facility water supply system will deliver 2000 gallons per minute for three hours.
- aa. The permittee must maintain and make available to CalRecycle inspectors during business hours an Equipment Downtime Log. The log shall include dates, times and durations that shredding, rasper, de-rimming/snipper equipment is down due to breakdown or service, including knife changes (excluding daily preventative maintenance routines.). The log should include occurrences that affect the normal day-to-day processing of incoming or outgoing tires, and any Fire Department trainings.

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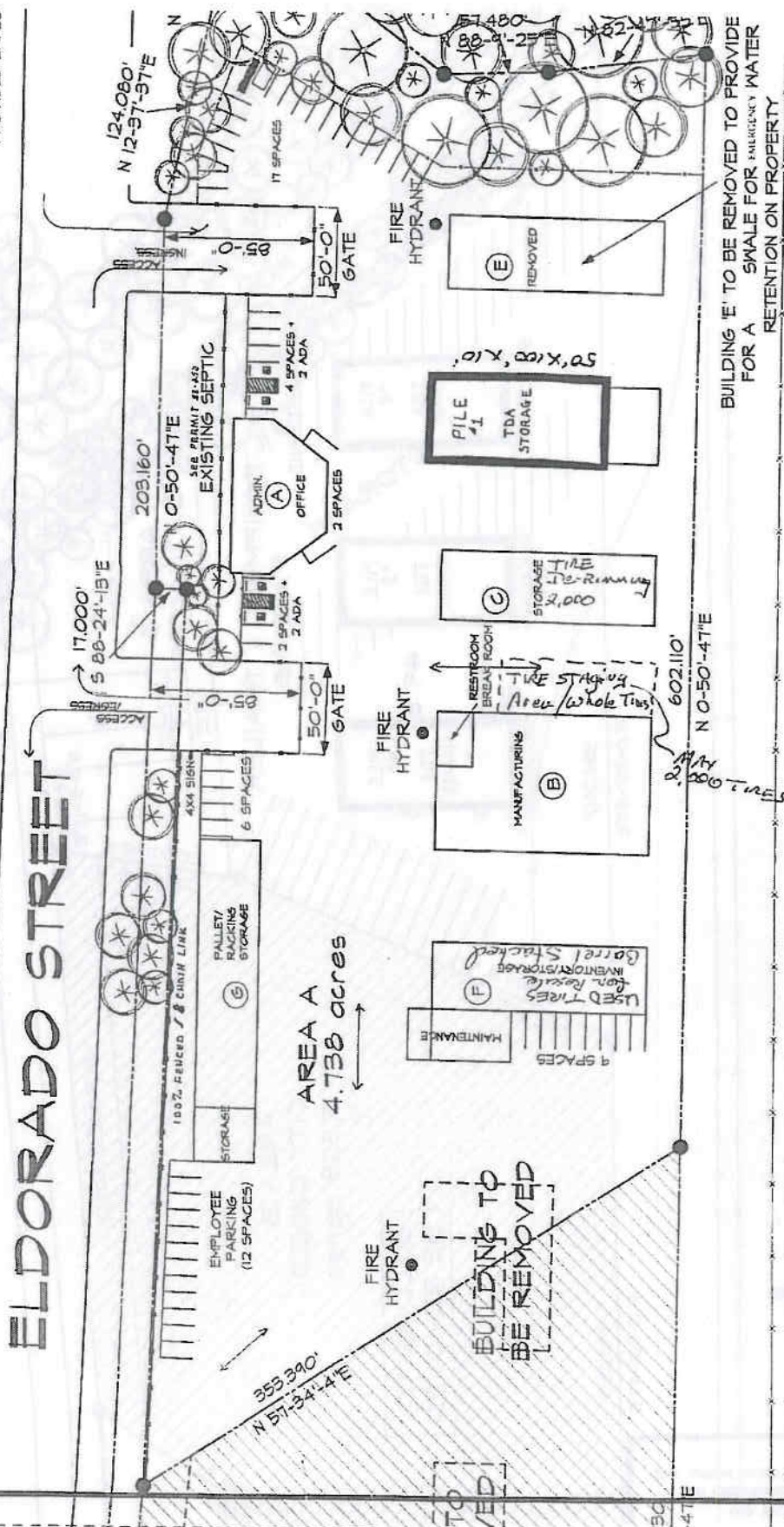
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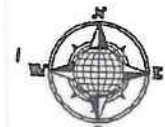
STRUCTURE LETTER	PROPOSED USE	SQ. FT.	HIGHEST FLOOR	OVERALL HEIGHT	EMPLOYEES EST.	PROPOSED PARK
A	OFFICE	2400	2	20'	3	1
B	MANUFACTURING	1600	1	23'	4	1
C	STORAGE	4000	1	26'	-	1
D	STORAGE	5650	1	28'	-	-
E	REMOVED	4000	1	22'	-	-
F	INVENTORY/MAINT.	5420	1	24'	5	-
G	PALLETT/RACKING STORAGE	6300	1	22'	-	-
P	EMPLOYEE PARKING	51 SPACES	-	-	-	-

51 SPACES TOTAL (4 ADA ACCESSIBLE)

SEE EMPLOYEE PARK PROVIDED EMPLOYEES



UNION PACIFIC RAILROAD

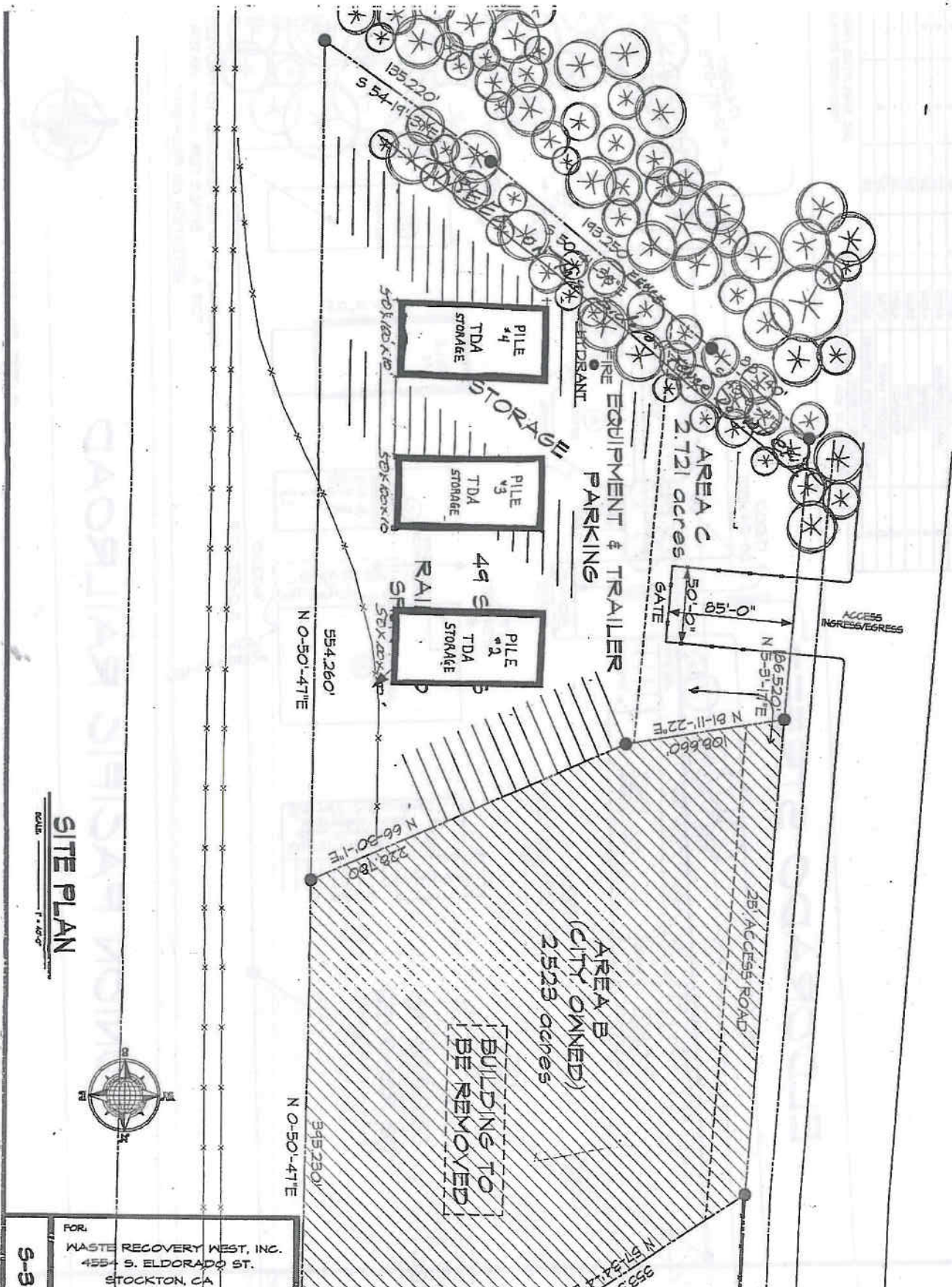


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SITE PLAN

FOR:
WASTE RECOVERY WEST, INC.
4554 S. EL DORADO ST.
STOCKTON, CA